

Power of Attorney

Wednesday, April 23, 1997

MEMORANDUM

To: Environmental Coordinators

**From: Janice Osadczuk, Manager
Environmental Services**

Re: Power of Attorney document for contractors to sign:
IDEM's asbestos *Notification of Demolition and Renovation Operations* form
IDEM's *Special Waste Certification Application* form
IDEM's *Notification for Underground Storage Tanks* form
IDEM's *Uniform Hazardous Waste Manifest* form
EPA's *Notification of Regulated Waste Activity* form

Attached is a copy of the revised Power of Attorney Document for contractors to sign for various manifests and forms for INDOT projects. Please note that the above list includes the only documents that have been cleared by INDOT, IDEM and the Attorney General's legal staff for Power of Attorney. These power of attorney's enable contractors to legally sign these forms for INDOT should the project engineer/supervisor and contractor so desire. Please note that the commissioner will not be able to sign a power of attorney document unless it identifies the specific forms that the contractor will be signing on behalf of INDOT. If the specific forms are not known at the time the contract is awarded or signed, the power of attorney document should be signed at a later date when this information is known. A blank power of attorney document should not be included with the consultant agreement.

POWER OF ATTORNEY

Know All Men and Women by These Presents, that the Indiana Department of Transportation (“department”), having its principal place of business at 100 N. Senate Avenue, Rm. N755, in the City of Indianapolis, State of Indiana, pursuant to the authority of Indiana Code 8-23-2-6, does hereby make, constitute and appoint

_____ of _____ whose address is _____,

its true and lawful attorney in fact, for the limited purpose of preparing, signing, filing, and delivering, on behalf of the Indiana Department of Transportation, the following manifest form(s) required by the Indiana Department of Environmental Management for work on Project No.: _____

(hereinafter

“project”)._____

The department gives and grants to its attorney in fact full power and authority to do and perform the foregoing acts as fully, to all intents and purposes, as it might or could do, hereby ratifying and confirming all that its attorney in fact shall lawfully do, or cause to be done by virtue hereof. Said attorney in fact shall not be entitled to a reasonable fee for services rendered or reimbursement of any expenses whatsoever advanced by the attorney in fact on behalf of the principal in the performance of the foregoing acts.

Such attorney in fact shall use due care to act for the benefit of the department, exercise all powers herein granted in a fiduciary capacity and keep complete records of all transactions entered into on behalf of the department.

The attorney in fact’s authority to act on behalf of the department is limited to specific powers enumerated herein. The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and effect on the date set forth below. This power of attorney shall terminate upon the department’s formal acceptance of the work on the project.

IN WITNESS WHEREOF, the Indiana Department of Transportation has caused this document to be signed by its authorized representative, the Commissioner of the Indiana Department of Transportation.

Curtis A. Wiley
Commissioner, Indiana Department of
Transpiration

Date:

Friday, April 18, 1997

Memorandum

**To: Mr. Jeffrey R. Lade, Attorney at Law
Legal Division**

**From: Mr. Steve Cecil, Chief
Division of Pre-Engineering and Environment**

Re: Power of Attorney Document

Thank you for your comments concerning the existing Power of Attorney document. We have revised the document as per your recommendations. Please review the revised document and let us know if it is acceptable. Should you have any questions, do not hesitate to contact myself (232-5468) or Janice Osadczuk (232-5112).

cc: file